

1           **TYSON & MENDES LLP**  
2           GRIFFITH H. HAYES  
3           Nevada Bar No. 7374  
4           NICHOLAS F. PSYK  
5           Nevada Bar No. 15983  
6           Email(s): [ghayes@tysonmendes.com](mailto:ghayes@tysonmendes.com)  
7           [npsyk@tysonmendes.com](mailto:npsyk@tysonmendes.com)  
8           2835 St. Rose Pkwy., Suite 140  
9           Henderson, NV 89052  
10          Telephone: (702) 724-2648  
11          Facsimile: (702) 410-7684  
12          *Attorneys for Defendant Walmart, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

10 JAMIE MICHELLE LYNN MACZALA  
individually,

Plaintiff,

V.

13 WALMART, INC., a Foreign Corporation;  
14 DOE EMPLOYEES I-V; DOE MANAGERS  
15 V-X; DOES X – XX, inclusive; and ROE  
CORPORATIONS I – XX, inclusive,

16 || Defendants.

Case No.: 2:24-cv-01542-APG-DJA

**STIPULATED DISCOVERY PLAN  
LIMITED TO JURISDICTIONAL ISSUES  
AND [PROPOSED] SCHEDULING  
ORDER**

Plaintiff JAMIE MICHELLE LYNN MACZALA, (“Plaintiff”) and Defendant WALMART, INC. (“Defendant”) by and through their respective counsel of record, file this, their Stipulated Limited Discovery Plan Regarding Jurisdictional Discovery as requested by the Court during the September 19, 2024 hearing on Plaintiff’s Motion to Remand. Per the Court’s instructions, the parties hereby submit they will participate in limited discovery with regards to jurisdiction only to address the identities of the parties and the issues raised during the hearing on Plaintiff’s Motion to Remand. Based on representations made by counsel for Walmart at the hearing, Walmart will serve its initial disclosures on September 19, 2024.

25

20

27

1       The parties further agree and submit that this expedited jurisdictional discovery will  
2 be completed by October 21, 2024.

3       The parties will submit a stipulation regarding jurisdiction or file any necessary  
4 motions with the Court by October 28, 2024.

5 DATED this 19<sup>th</sup> day of September 2024

6 TYSON & MENDES LLP

DATED this 19<sup>th</sup> day of September 2024

BLACKBURN WIRTH, LLP

7       /s/ Griffith H. Hayes

8  
9 GRIFFITH H. HAYES  
Nevada Bar No. 7374  
10 NICHOLAS F. PSYK  
Nevada Bar No. 15983  
11 2835 St. Rose Parkway, Suite 140  
Henderson, NV 89052  
12 *Attorneys for Defendant Walmart, Inc.*

/s/ Joseph W. Guindy

JOSEPH J. WIRTH, ESQ.  
Nevada Bar No. 10280  
ASH MARIE BLACKBURN, ESQ.  
Nevada Bar No. 14712  
JOSEPH W. GUINDY, ESQ.  
Nevada Bar No. 15556  
TYLER A. BIXBY, ESQ.  
Nevada Bar No. 16679  
6018 S. Fort Apache Road, Ste. 150  
Las Vegas, NV 89148-5652  
13 *Attorneys for Plaintiff*

14  
15  
16  
17  
18       **IT IS SO ORDERED:**

19  
20  
21         
DANIEL J. ALBREGTS  
22 UNITED STATES MAGISTRATE JUDGE

23       DATED: 9/23/2024

24  
25  
26  
27  
28

**From:** [Joey Guindy](#)  
**To:** [Nick Psyk](#)  
**Cc:** [Griffith Hayes](#); [Heidi Brown](#); [Lindsay Hayes](#); [Tyler Bixby](#); [MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com](#)  
**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)  
**Date:** Thursday, September 19, 2024 4:12:06 PM  
**Attachments:** [image002.png](#)  
  [image003.png](#)

---

Thank you. You may use my e-signature.

Thanks,  
Joey

**JOSEPH W. GUINDY, Esq.**  
Attorney  
**BLACKBURN WIRTH, LLP**  
6018 S. Fort Apache Rd. Ste. 150  
Las Vegas, Nevada 89148  
Tel: 702.472.7000 | Fax: 702.463.4440  
[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com) | [blackburnwirth.com](http://blackburnwirth.com)



**CONFIDENTIALITY NOTICE:** The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.

---

**From:** Nick Psyk <NPsyk@TysonMendes.com>  
**Sent:** Thursday, September 19, 2024 3:38 PM  
**To:** Joey Guindy <guindy@blackburnwirth.com>  
**Cc:** Griffith Hayes <ghayes@TysonMendes.com>; Heidi Brown <HBrown@TysonMendes.com>; Lindsay Hayes <lindsay@blackburnwirth.com>; Tyler Bixby <tyler@blackburnwirth.com>; MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com  
**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)

Joey,

With the understanding that Walmart will still have 30 days to respond to written discovery requests, I do not have any issues with your redlines. Please find attached a finalized draft of the discovery plan to incorporate your revisions. Please let me know if we have your permission to affix your e-signature for submission to the Court.

Thanks,



Nicholas Psyk  
**Attorney**  
2835 St. Rose Pkwy., Suite 140  
Henderson, NV 89052  
**Main:** 702.724.2648  
**Direct:** 725.235.7475  
**Fax:** 702.410.7684  
[NPsyk@tysonmendes.com](mailto:NPsyk@tysonmendes.com)  
[www.tysonmendes.com](http://www.tysonmendes.com)

*This email and any attachments are from the law firm of Tyson & Mendes, LLP. This email is intended only for the use of the addressee and may contain information that is proprietary, confidential, privileged, or protected by state or federal law. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this email and attachments are prohibited. If you received this email in error, please notify us by reply email immediately so we may arrange for the retrieval of the information.*

---

**From:** Joey Guindy <[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com)>  
**Sent:** Thursday, September 19, 2024 1:41 PM  
**To:** Nick Psyk <[NPsyk@TysonMendes.com](mailto:NPsyk@TysonMendes.com)>  
**Cc:** Griffith Hayes <[għayes@TysonMendes.com](mailto:ghayes@TysonMendes.com)>; Heidi Brown <[HBrown@TysonMendes.com](mailto:HBrown@TysonMendes.com)>;  
Lindsay Hayes <[lindsay@blackburnwirth.com](mailto:lindsay@blackburnwirth.com)>; Tyler Bixby <[tyler@blackburnwirth.com](mailto:tyler@blackburnwirth.com)>;  
[MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com](mailto:MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com)  
**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)

Nick,

At today's hearing the Court ruled that Plaintiff may serve written discovery regarding the identities of the employees in question or may not have to at all depending on Walmart's disclosure.

Regardless, I think the October 21, 2024 deadline to complete discovery encompasses the fact that Plaintiff would still have to provide Walmart at least 30 days per Rules to respond to any requests by that date. If you want to include the last day that Plaintiff can timely serve the requests—feel free to do so.

Thanks,  
Joey

**JOSEPH W. GUINDY, Esq.**  
Attorney  
**BLACKBURN WIRTH, LLP**  
6018 S. Fort Apache Rd. Ste. 150  
Las Vegas, Nevada 89148  
Tel: 702.472.7000 | Fax: 702.463.4440  
[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com) | [blackburnwirth.com](http://blackburnwirth.com)

**BLACKBURN  
WIRTH** INJURY TEAM

**CONFIDENTIALITY NOTICE:** The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.

---

**From:** Nick Psyk <[NPsyk@TysonMendes.com](mailto:NPsyk@TysonMendes.com)>  
**Sent:** Thursday, September 19, 2024 1:35 PM  
**To:** Joey Guindy <[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com)>  
**Cc:** Griffith Hayes <[gheyas@TysonMendes.com](mailto:ghayes@TysonMendes.com)>; Heidi Brown <[HBrown@TysonMendes.com](mailto:HBrown@TysonMendes.com)>;  
Lindsay Hayes <[lindsay@blackburnwirth.com](mailto:lindsay@blackburnwirth.com)>; Tyler Bixby <[tyler@blackburnwirth.com](mailto:tyler@blackburnwirth.com)>;  
[MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com](mailto:MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com)  
**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)

Joey,

My only concern with the revisions is there is no date given for when any written discovery requests will be served, so it is unclear if we will be given sufficient time to respond by October 21, 2024. Let me know your thoughts, I am also available via my direct line below to discuss.

Thanks,



Nicholas Psyk  
**Attorney**  
2835 St. Rose Pkwy., Suite 140  
Henderson, NV 89052  
**Main:** 702.724.2648  
**Direct:** 725.235.7475  
**Fax:** 702.410.7684  
[NPsyk@tysonmendes.com](mailto:NPsyk@tysonmendes.com)  
[www.tysonmendes.com](http://www.tysonmendes.com)

*This email and any attachments are from the law firm of Tyson & Mendes, LLP. This email is intended only for the use of the addressee and may contain information that is proprietary, confidential, privileged, or protected by state or federal law. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this email and attachments are prohibited. If you received this email in error, please notify us by reply email immediately so we may arrange for the retrieval of the information.*

---

**From:** Joey Guindy <[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com)>  
**Sent:** Thursday, September 19, 2024 1:30 PM  
**To:** Nick Psyk <[NPsyk@TysonMendes.com](mailto:NPsyk@TysonMendes.com)>  
**Cc:** Griffith Hayes <[gheyas@TysonMendes.com](mailto:gheyas@TysonMendes.com)>; Heidi Brown <[HBrown@TysonMendes.com](mailto:HBrown@TysonMendes.com)>;  
Lindsay Hayes <[lindsay@blackburnwirth.com](mailto:lindsay@blackburnwirth.com)>; Tyler Bixby <[tyler@blackburnwirth.com](mailto:tyler@blackburnwirth.com)>;  
[MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com](mailto:MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com)  
**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)

Nick,

Please see my proposed revisions to the Discovery Plan re Jurisdictional Discovery

Thanks,

Joey

**JOSEPH W. GUINDY, Esq.**

Attorney

**BLACKBURN WIRTH, LLP**

6018 S. Fort Apache Rd. Ste. 150

Las Vegas, Nevada 89148

Tel: 702.472.7000 | Fax: 702.463.4440

[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com) | [blackburnwirth.com](http://blackburnwirth.com)



**CONFIDENTIALITY NOTICE:** The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.

---

**From:** Nick Psyk <[NPsyk@TysonMendes.com](mailto:NPsyk@TysonMendes.com)>

**Sent:** Thursday, September 19, 2024 11:57 AM

**To:** Joey Guindy <[guindy@blackburnwirth.com](mailto:guindy@blackburnwirth.com)>

**Cc:** Griffith Hayes <[ghayes@TysonMendes.com](mailto:ghayes@TysonMendes.com)>; Heidi Brown <[HBrown@TysonMendes.com](mailto:HBrown@TysonMendes.com)>;

Lindsay Hayes <[lindsay@blackburnwirth.com](mailto:lindsay@blackburnwirth.com)>; Tyler Bixby <[tyler@blackburnwirth.com](mailto:tyler@blackburnwirth.com)>;

[MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com](mailto:MaczalavWalmartPRSZ12007206@blackburnwirth.filevineapp.com)

**Subject:** RE: Maczala v. Walmart | Discovery Plan re Jurisdiction (TM: 24-3258)

Joey,

Please find attached a draft Stipulated Discovery Plan Regarding Jurisdiction reflecting the instructions from the Court at the hearing this morning. Please let me know if you have any revisions to this draft. Otherwise, let me know if we have your authority to affix your e-signature for submission to the Court.

Thank you,

Nicholas Psyk  
**Attorney**  
2835 St. Rose Pkwy., Suite 140  
Henderson, NV 89052  
**Main:** 702.724.2648  
**Direct:** 725.235.7475



**Fax:** 702.410.7684  
[NPsyk@tysonmendes.com](mailto:NPsyk@tysonmendes.com)  
[www.tysonmendes.com](http://www.tysonmendes.com)

*This email and any attachments are from the law firm of Tyson & Mendes, LLP. This email is intended only for the use of the addressee and may contain information that is proprietary, confidential, privileged, or protected by state or federal law. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this email and attachments are prohibited. If you received this email in error, please notify us by reply email immediately so we may arrange for the retrieval of the information.*